

***Hanson Board of Selectmen  
Selectmen's Meeting Room  
Tuesday, August 11, 2020  
5:00 p.m.***

Members Present: Kenny Mitchell, James Hickey, Wesley Blauss, Laura FitzGerald-Kemmett,  
Matthew Dyer  
Others Present: John Stanbrook, Town Administrator; Greer Getzen, Executive Assistant

**I CALL TO ORDER**

At 5:00 p.m., Chairman Mitchell called the meeting to order.

**II EXECUTIVE SESSION**

Mr. Mitchell announced that the Hanson Board of Selectmen will meet in Executive Session under Mass. General Laws Ch. 30A Section 21 (a) Exemption 1 – To discuss the reputation, character, physical condition, or mental health, rather than the professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against a public officer, employee, staff members or individual.

***MOTION*** by Mrs. FitzGerald-Kemmett, seconded by Mr. Dyer, to enter Executive Session. Mr. Mitchell said that the public body will reconvene in Open Session at the end of Executive Session. ***Roll call vote Dyer aye, FitzGerald-Kemmett aye, Hickey aye, Blauss aye and Mitchell aye. Voted 5 – 0***

**III PUBLIC ANNOUNCEMENTS & UPCOMING MEETINGS (REGULAR SESSION)**

The regular session of the Board of Selectmen meeting began at 6:00 p.m. The Board recited the Pledge of Allegiance. Mrs. FitzGerald-Kemmett read the public announcements and upcoming meeting dates.

**IV NEW BUSINESS**

***Select Peer Review Firm for Marijuana Cultivation Special Permit application submitted 8/6/2020***

Town Counsel, Kate Feodoroff (present by telephone), stated that the purpose of this agenda item is for the Board to select a peer review engineer who will analyze the plans and calculations that were submitted by the marijuana cultivation special permit applicant, Impressed, LLC, and provide technical expertise for the town. Ms. Feodoroff said that Town Planner, Deb Pettey, has reviewed the application and commented that the odor control plan has not been submitted yet, and will be requesting said plan. Ms. Feodoroff noted that the applicant pays for the engineer.

Ms. Pettey explained that she has been researching engineering firms who would be appropriate for this review—has three in mind—but said that she does not have cost estimates as yet. She commented that in her research so far, it is not apparent that one will be able to provide all of the services required, and suggested that it may be necessary to hire two firms because of the multiple areas of expertise required of this review (i.e., stormwater calculations, mechanical

calculations). Ms. Pettey asked that Mr. Stanbrook be allowed to make the decision of who to hire once the cost estimates and more information are available, which Ms. Feodoroff said the Board can fully authorize him to do.

**MOTION** by Mrs. FitzGerald-Kemmett, seconded by Mr. Dyer, to allow Mr. Stanbrook to select, after all cost proposals are in, the engineer(s) who possess competence to cover all of the technical aspects required to evaluate the marijuana cultivation special permit application by Impressed, LLC. *Voted 5 – 0*

**MOTION** by Mrs. FitzGerald-Kemmett, seconded by Mr. Dyer, to set the fee for a marijuana cultivation special permit as \$1,500.00. *Voted 5 – 0*

#### **V      OLD BUSINESS**

##### ***Discuss Cranberry Cove staffing shortage/Opening without lifeguards***

Recreation Director, William Boyle, explained that there is at this time not adequate staffing in order to open the Cove. He said that the Recreation Commission has voted at its August 3 meeting to open the Cove, pending proper signage, with no charge, no lifeguards and swim at your own risk. He said that it is his understanding that according to M.G.L. Chapter 21, Section 17C, if no fee is charged, there is limited or no liability to the Town if something happens, provided correctly worded signs are in place. Mr. Boyle said that he is asking for confirmation by Town Counsel of that liability limitation and the Board's affirmation to open the Cove.

Ms. Feodoroff stated that the statute referenced by Mr. Boyle is the Recreational Use Statute, which states that a property owner, including municipalities, are free from liability if their land is used for free. She elaborated that the statute would be in effect provided that there was no fee charged for anything (i.e., parking fee, entrance fee).

**MOTION** by Mr. Dyer seconded by Mrs. FitzGerald-Kemmett, to allow Cranberry Cove to open without any lifeguards, but with proper signage in place, in compliance with the Governor's orders. *Voted 3 – 2*

#### **IV      NEW BUSINESS (Resumed)**

##### ***Request to extend FY21-FY22 camping season at Camp Kiwanee from May 9, 2021 to October 31, 2021***

**MOTION** by Mrs. FitzGerald-Kemmett, seconded by Mr. Dyer, to extend the FY21-FY22 camping season at Camp Kiwanee from May 9, 2021 to October 31, 2021, to be consistent with the Governor's orders. *Voted 5 – 0*

##### ***Accept Donations to Recreation Department***

**MOTION** by Mrs. FitzGerald-Kemmett, seconded by Mr. Dyer, to accept donations to the Recreation Department. *Voted 5 – 0*

##### ***Request to refund a wedding scheduled at Camp Kiwanee on August 8, 2020***

Mr. Boyle stated that the Recreation Commission has voted approval to refund a wedding at Camp Kiwanee that had been scheduled for August 8, 2020.

**MOTION** by Mrs. FitzGerald-Kemmett, seconded by Mr. Dyer, to refund a wedding that had been scheduled at Camp Kiwanee on August 8, 2020. *Voted 5 – 0*

***Consider having two Selectmen interview De-Regionalization Feasibility Committee Member-at-Large applicants and make recommendations to the Board***

Mr. Mitchell stated that there are eleven applicants for the De-Regionalization Feasibility Committee and suggested that two Board members interview the candidates and report their recommendation back to the full Board. Mrs. FitzGerald-Kemmett and Mr. Blauss volunteered to conduct the interviews on Tuesday.

***Open October Special Town Meeting Warrant***

**MOTION** by Mr. Dyer, seconded by Mrs. FitzGerald-Kemmett, to open the October Special Town Meeting Warrant. *Voted 5 – 0*

***Execute State Primary warrant***

Mr. Stanbrook presented the State Primary warrant to be signed by Board members.

***Set polling for State Primary from 7 a.m. to 8 p.m.***

**MOTION** by Mrs. FitzGerald-Kemmett, seconded by Mr. Dyer, to set the polling for the State Primary from 7 a.m. to 8 p.m. on September 1. *Voted 5 – 0*

***Vote to accept CARES Act reimbursement monies***

**MOTION** by Mr. Dyer, seconded by Mrs. FitzGerald-Kemmett, to formally accept any COVID-19 aid, relief and economic security CARES Act-related funds distributed by Plymouth County to the Town of Hanson. *Voted 5 – 0*

***Right of first refusal to purchase 209 Main Street, Unit 52***

**MOTION** by Mr. Hickey, seconded by Mr. Dyer, to not exercise the right of first refusal to purchase 209 Main Street, Unit 52. *Voted 4 – 0 – 1*

***Approve revised FY21 Selectmen's calendar***

**MOTION** by Mr. Dyer, seconded by Mrs. FitzGerald-Kemmett, to approve the revised FY21 Selectmen's calendar. *Voted 5 – 0*

***Approve July donations***

**MOTION** by Mrs. FitzGerald-Kemmett, seconded by Mr. Dyer, to approve the July donation of \$130 from Dortha Perry to the police department. *Voted 5 – 0*

***Request to use Middle School parking lot for Hazardous Waste Collection Day on 9/12/20***

**MOTION** by Mrs. FitzGerald-Kemmett, seconded by Mr. Dyer, to approve the use of the Middle School parking lot for Hazardous Waste Collection Day on 9/12/20. *Voted 5 – 0*

***Appointments***

**MOTION** by Mrs. FitzGerald-Kemmett, seconded by Mr. Hickey, to appoint Curt MacLean as the Interim Highway Director. *Voted 5 – 0*

**V OLD BUSINESS (Resumed)**

***Whitman-Hanson Regional School District Audit***

Mr. Mitchell reviewed that earlier this year, the Board had voted to conduct an audit of the Whitman-Hanson Regional School District, in collaboration with the Town of Whitman. Mr. Stanbrook detailed that the invitation to bid process was initiated last February. He said that one bid had been received by the time of the COVID-19 shut down and it has been on hold ever since. Mr. Stanbrook requested feedback from the Board on how to handle this going forward. Mrs. FitzGerald-Kemmett clarified that this audit is not related to the school assessment and is more forensic in nature. The Board asked Mr. Stanbrook to reach out to the one bidder to determine if they might be suitable for the job and are still interested, and then report back to the Board.

**VI TOWN ADMINISTRATOR'S REPORT**

Mr. Stanbrook updated the Board on recent activities, as follows:

1. Mr. Stanbrook itemized warrants that he has signed on behalf of the BOS, as below. He said that this represents the expiration of his authorization to sign warrants on behalf of the Board during the time they were unable to come in to sign on their own.

7/23/20	Warrant 4	\$9,379.78	Vendor Warrant
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7/23/20	Warrant 4-PR	\$139,058.80	Payroll Warrant
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7/23/20	Warrant 4-WH	\$26,487.82	Payroll Withholding Warrant
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7/30/20	Warrant 5	\$277,794.41	Vendor Warrant (Primarily \$204,000 for August Health Insurance payment)
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7/30/20	Warrant 5-PR	\$143,359.80	Payroll Warrant
7/30/20	Warrant 5-WH	\$28,945.05	Payroll Withholding Warrant
8/6/20	Warrant 6	\$462,849.43	Vendor Warrant (Mostly \$283.9K for SS Voc Tech 1 <sup>st</sup> quarter assessment & \$150K for debt interested related to Town and water debt)
8/6/20	Warrant 6-PR	\$144,347.73	Payroll Warrant
8/6/20	Warrant 6-WH	\$28,172.74	Payroll Withholding Warrant

2. Mr. Stanbrook described that the Town Administrator Special Act requires him to list and provide a status of outstanding approved Town Meeting articles on a quarterly basis. He reported that there were eighty-six active articles in FY20, amounting to \$1,522,747.30. Mr. Stanbrook said that thirty-one of the articles were completed in FY20, with fifty-five that will continue into FY21. He added that more information will be reported on this at the next meeting with Todd Hassett.
3. Mr. Stanbrook stated that he has complied with the Town Administrator Special Act requiring him to present a monthly financial report for the Board. He said that Mr. Hassett will be present at the August 25 meeting if there are any questions.
4. Mr. Stanbrook explained that he is also required per the Town Administrator Special Act to provide the Board with an update on all outstanding legal matters, which he has provided in letter form to them tonight.
5. Mr. Stanbrook said that the state announced its FY21 Chapter 70 and Unrestricted Government Aid (UGA) amounts. He said that the Chapter 70 amount is \$14,658.00, which is \$297.00 less than the \$14,955.00 the town had budgeted. Mr. Stanbrook said that the anticipated UGA amount is \$1,359,810.00, which is \$176,700.00 more than the town's budgeted amount.
6. Mr. Stanbrook stated that the Department of Conservation Recreation announced its Mass Trails Grants and Hanson will be the recipient of a \$100,000 grant for the Bay Circuit Trail Relocation. Mrs. FitzGerald-Kemmett recognized the hard work by Mr. Dyer and Conservation Chairman Phil Clemons on this accomplishment.
7. Mr. Stanbrook said that on August 24 construction will begin at the intersection of Liberty Street and County Road and that the Highway Department can be contacted by those requesting more details about the project. He said that the work is being paid for by the state's Complete Streets program.
8. Mr. Stanbrook noted that paving will be completed in the next few weeks on Route 14, County Road and West Washington Street and advised the community to take care driving in

these areas. He said that the paving is being paid for by the annual Chapter 90 allotment that the town receives.

9. Mr. Stanbrook stated that aerial spraying is ongoing for the next few nights in Plymouth County as twelve communities have been found to be in moderate to critical risk of EEE. He said that more information about the spraying can be found on the town's website. Mr. Mitchell noted that if Hanson is elevated to high risk, the sports fields are closed automatically by the Board of Health.
10. Mr. Stanbrook said that the next meeting will be August 25 with Todd Hassett and the Fire Chief present.

**VII APPROVE APRIL 28, 2020 AND JUNE 9, 2020 MEETING MINUTES**

***MOTION*** by Mr. Dyer, seconded by Mrs. FitzGerald-Kemmett, to approve the minutes from the April 28, 2020 and June 9, 2020 meetings. ***Voted 5 – 0***

**VIII ADJOURNMENT**

***MOTION*** at 7:01 p.m. by Mr. Dyer, seconded by Mrs. FitzGerald-Kemmett, to adjourn the meeting. ***Voted 5 - 0***

Respectfully submitted,

Shirley Schindler  
Minutes Clerk